FARAD CONTINUATION SHEET NO.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.1213 OF 2003

AND

CIVIL APPLICATION NO.1448 OF 2005

IN

WRIT PETITION NO.1844 OF 2001

Office Notes, Office Memoranda appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's Order

Mr.R.S.Apte, for Petitioner in writ petn.

Mr.G.S.Godbole, for Respondents 3 & 6 in writ petn..

Mr.N.P.Deshpande, AGP for Respondent 1,2,5&7 in writ petition.

CORAM: D.K.DESHMUKH,J.

DATED: 26th October, 2005.

P.C.:-

Heard the learned Counsel for both the sides. Though the reason given by respondent nos.4 and 5 for not filing affidavit

in reply to the rule on interim relief issued by the Court is not proper, as the respondent nos.4 and 5 expressed their willingness to pay substantial cost to the petitioner, in my opinion, the following order would meet the ends of justice:-

(i) The order dated 23.8.2002 passed in Writ Petition no.1844 of 2001 to the extent that it confirms ad-interim order against respondent nos.4 and 5, is set aside.

(ii) It is clarified that now ad-interim order granted by the Court on 2.4.2001 shall continue to operate and that respondent nos.4 and 5 shall be heard on confirmation of that order.

(iii) The respondent nos.4 and 5 to file their affidavits opposing the confirmation of ad-interim order within a period of four weeks from today.

(iv) Office is directed to place Writ Petition no. 1844 of 2001 before the Court for confirmation of the ad-interim order as against respondent nos.4 and 5.

(v) The Respondent nos.4 and 5 are directed to pay as and by way of cost of this Civil Application Rs.10,000/- to the petitioner within a period of four weeks from today.

Both the Civil Applications are disposed of.